

REMARKS/ARGUMENTS

Claim Rejections – 35 USC § 112

The Examiner stated that claims 215 and 216 remain rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claim 215 to refer to claim 212. As such, Applicant respectfully believes that claims 215 and 216 currently overcome the 35 USC § 112 rejection.

Claim Rejections – 35 USC § 102

The Examiner stated that claims 21-23, 39, 40, 43-46, 50, 68-71, 75, 198-217 and 218 are rejected under 35 U.S.C. 102(e) as being anticipated by Fano (US Patent 6,317,718).

Claim Rejections – 35 USC § 103

The Examiner stated that claims 36 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fano in view of Kolls (US Patent 6,389,337).

The Examiner stated that claims 47-49, 212, 213, 215, 216, and 219 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fano.

Response

Although Applicant believes that neither Fano or Kolls reads upon the previously pending claims, in order to efficiently prosecute the instant patent application, Applicant has amended independent claims 21, 68, and 217. More specifically, independent claims 21, 68, and 217 were amended to include the following limitation:

obtaining primary transaction data related to the primary transaction, the primary transaction data including at least data representing an identity of the user and data representing a geographic descriptor of the user, wherein the geographic descriptor is a zip code of the user.

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Support for this limitation can be found at least on pages 34 and 35 of the instant invention.

Applicant does not believe that Fano or Kolls teaches or suggests such a limitation and therefore respectfully believes that claims 21, 68, and 217, as well as the claims that depend from them, are in condition for allowance.

Favorable action at the Office's earliest convenience is respectfully requested.

Respectfully submitted,
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